

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In Re:

Chapter 13

SPIRO & ANN MILLIARESSIS

Index No. 08-22504

X

**AFFIRMATION IN SUPPORT OF NOTICE OF SETTLEMENT OF ORDER
EXPUNGING CLAIM OF AMERICA'S SERVICING COMPANY**

We, Spiro & Ann Milliaressis, the debtors herein state that we have knowledge of the following and believe it to be true.

1. This affirmation is in support of the Notice of Settlement for the Order expunging the claim of AMERICA'S SERVICING COMPANY.

2. We surrendered our deed to ASC. I signed the motion June 23, 2008. The deed was signed on July 31, 2008. But the motion was served on August 8, 2008 and filed on August 12, 2008 with a return date of September 10, 2008. Since the motion was served more than 30 days prior to the return date, the motion is proper.

3. A true copy of the deed is annexed hereto.

WHEREFORE it is respectfully requested that the order be signed.

_____/s/_____
SPIRO MILLIARESSIS